

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA,	§	
	§	
Plaintiff,	§	
v.	§	
	§	4:09cv368
OSCAR RENDA, ET AL.,	§	
	§	
Defendants.	§	

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 8, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that: (1) Plaintiff United States of America's Motion for Summary Judgment (Dkt. 77) be GRANTED; (2) Defendants' Motion for Summary Judgment (Dkt. 78) be DENIED; and (3) Defendants' Amended Motion to Reconsider and/or Modify Memorandum Adopting Report and Recommendation of the United Sates Magistrate Judge (Dkt. 80) be DENIED.

The Court, having made a *de novo* review of the objections raised by Defendant as well as Plaintiff's response and Defendant's reply thereto (*see* Dkts. 102, 103 & 104), is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Defendant are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate

Judge as the findings and conclusions of this Court.

Plaintiff United States of America's Motion for Summary Judgment (Dkt. 77) is GRANTED, Defendants' Motion for Summary Judgment (Dkt. 78) is DENIED, and Defendants' Amended Motion to Reconsider and/or Modify Memorandum Adopting Report and Recommendation of the United States Magistrate Judge (Dkt. 80) is DENIED. Within ten (10) days of the date of this Order, Plaintiff shall submit a proposed final judgment for the Court's consideration.

IT IS SO ORDERED.

SIGNED this 23rd day of September, 2011.

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE